
(2000) 11 P&H CK 0100
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 17550 of 1999

Manjit Singh

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 22-11-2000

Acts Referred:

Haryana Urban Development Authority Act, 1977 — Section 7

Citation : (2003) 1 CivCC 11 : (2002) 4 RCR(Civil) 837

Hon'ble Judges : K.S. Garewal, J;Jawahar Lal Gupta, J

Bench : Division Bench

Advocate : R.S. Chauhan, for the Appellant; Palika Monga, A.A.G. for Respondent No. 1 and Ashutosh Mohunta for Respondents No. 2 and 3, for the Respondent

Final Decision : Allowed

Judgement

Jawahar Lal Gupta, J.—The petitioner was provisionally allotted plot No.91, Sector 59, Faridabad vide letter dated 23.4.1996. He was called upon to submit the drawing plans etc. He having failed to comply with the requisite formalities, the respondents proceeded to cancel the provisional allotment vide letter dated December 5, 1996. The petitioner filed an appeal. It was dismissed vide order dated June 3, 1998. His revision petition was dismissed on August 30, 1999. Aggrieved by the orders, copies of which have been produced as Annexures P4 to P6, the petitioner has approached this Court through the present writ petition.

2. Notice of motion was issued. A written statement has been filed.

3. Mr. Chauhan, learned counsel for the petitioner, contends that the action of the respondents in cancelling the allotment without the grant of any opportunity whatsoever was violative of the principles of natural justice. Mr. Ashutosh Mohunta, appearing for respondents No.2 and 3, accepts this position and states that the matter shall be decided afresh after hearing the petitioner.

4. In view of the fair stand taken on behalf of the respondents and without

expressing any opinion on the merits of the controversy, we set aside the impugned orders and remit the matter to the respondent authority for a fresh decision in accordance with law.

5. The writ petition is, accordingly, disposed of. No costs.

K.S. Garewal, J.